

BEST AVAILABLE COPY

Appl. No. 10,807,747
Declaration under 37 C.F.R. § 1.131

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner, for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 7, 2008.

~~Attorney for Applicant(s)~~

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/770,227
Applicant	:	Aaron Schapper et al.
Title	:	ADJUSTABLE SPRAY PATTERN SPRINKLER
Filed	:	February 2, 2004
TC/A.U.	:	3752
Examiner	:	Darren W. Gorman
Docket No.	:	3146.2.39
Customer No.	:	21552

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We, Aaron Schapper, Christian M. Olsen, and Chadwick L. Wilson declare as follows:

We are the inventors of the subject matter described and claimed in the above-identified patent application (the "Application"). We are employed by Orbit Irrigation, Inc. ("Orbit"), to whom we owe an obligation to assign the rights to this Application.

2. Prior to October 2, 2003, we conceived an embodiment of the invention claimed in the above-identified patent application. Prior to October 2, 2003, we met with our attorney

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Appl. No. 10/22,538
Declaration under 37 C.F.R. § 1.131

Craig J. Madison regarding this embodiment of the invention. See "Memorandum Re:

Instructions re certain patent matters," attached as Exhibit A.

3. Following the conception of our invention, we diligently proceeded to reduce the invention to practice by preparing a prototype of the invention. A drawing dated prior to October 2, 2003 showing the invention which we conceived and reduced to practice is attached hereto as Exhibit B.

4. Following the conception and reduction to practice of the present invention, we disclosed the invention to our attorney, and authorized preparation and filing of a patent application covering my invention. The application was filed with the United States Patent and Trademark Office on February 2, 2004.

5. These acts all occurred in the United States.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Dated: 4 September 2006

Dated: _____

Dated: _____

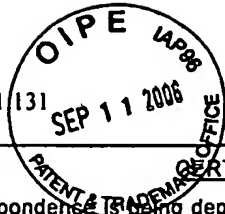

Aaron Schapper

Christian M. Olsen

Chadwick L. Wilson

Appl. No. 10/807,747

Declaration under 37 C.F.R. § 1.131



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 7, 2006.

Clayton S. Hudson
Attorney for Applicant(s)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/770,227
Applicant : Aaron Schapper et al.
Title : ADJUSTABLE SPRAY PATTERN
SPRINKLER
Filed : February 2, 2004
TC/A.U. : 3752
Examiner : Darren W. Gorman
Docket No. : 3146.2.39
Customer No. : 21552

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We, Aaron Schapper, Christian M. Olsen, and Chadwick L. Wilson declare as follows:

1. We are the inventors of the subject matter described and claimed in the above-identified patent application (the "Application"). We are employed by Orbit Irrigation, Inc. ("Orbit"), to whom we owe an obligation to assign the rights to this Application.
2. Prior to October 2, 2003, we conceived an embodiment of the invention claimed in the above-identified patent application. Prior to October 2, 2003, we met with our attorney

Craig J. Madson regarding this embodiment of the invention. See "Memorandum Re: Instructions re certain patent matters," attached as Exhibit A.

3. Following the conception of our invention, we diligently proceeded to reduce the invention to practice by preparing a prototype of the invention. A drawing dated prior to October 2, 2003 showing the invention which we conceived and reduced to practice is attached hereto as Exhibit B.

4. Following the conception and reduction to practice of the present invention, we disclosed the invention to our attorney, and authorized preparation and filing of a patent application covering my invention. The application was filed with the United States Patent and Trademark Office on February 2, 2004.

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Dated: _____


Dated: SEPT. 06, 2006

Dated: SEPTEMBER 06, 2006

Aaron Schapper



Christian M. Olsen




Chadwick L. Wilson

Exhibit A

3.146.2.39

Memorandum

To: Orbit Irrigation
From: Craig J. Madson
Date: 
Re: Instructions re certain patent matters

During a meeting at Orbit with Chris Olsen, Chad Wilson and Aaron Schapper, the following matters were discussed and/or authorized:





4. Adjustable Nozzle (Spiral Cam) This invention utilizes a spiral cam over a spiral slot position to reveal more of the slot as the spiral cam is rotated.

The co-inventors likely are Aaron Schapper, Christian M. Olsen, and Chadwick L. Wilson. [This project is still in R&D - the utility patent application was not yet authorized, but review of a stack of prior art was authorized to determine likely scope of patentability.]



6. We already have address information for Christian M. Olsen and Chadwick L. Wilson. The address information for Aaron Schapper is:

P.O. Box 682585
Park City, UT 84068

or

2234 Fenchurch Drive
Park City, UT 84060

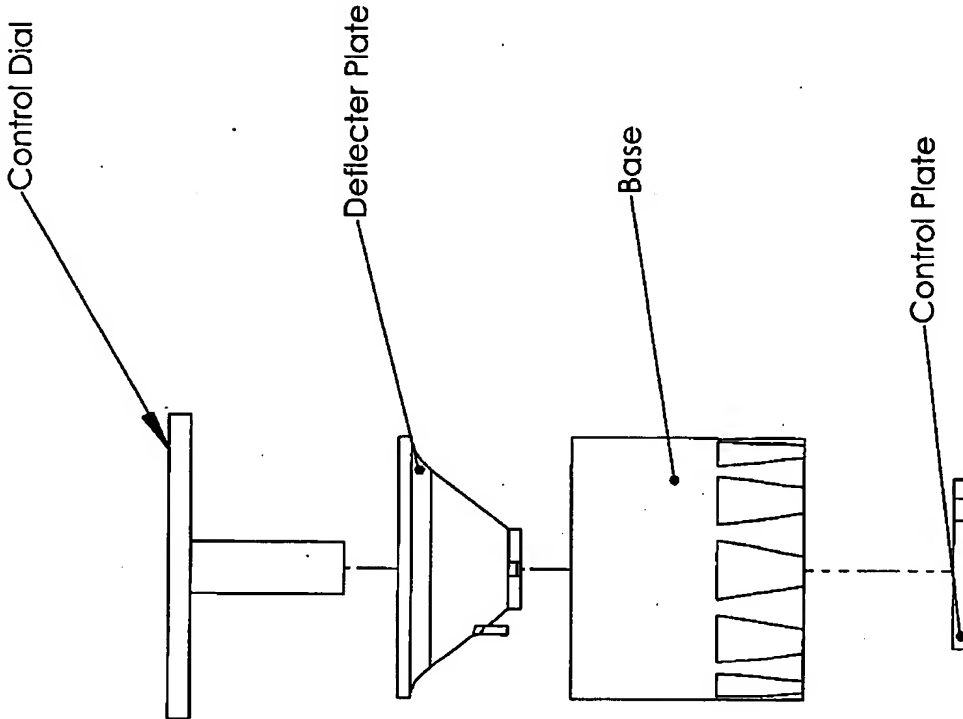
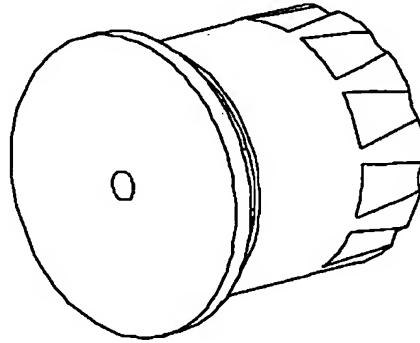
7. We understand that certain additional information and drawings will be sent via e-mail. We look forward to receiving such information.

[Note: If any of the foregoing information is inaccurate, please let us know at your earliest convenience. Otherwise, we will proceed as instructed.]

C:\CJM\CJM Client Files\3146 Orbit\MEMO PAT-030423.wpd

Exhibit B

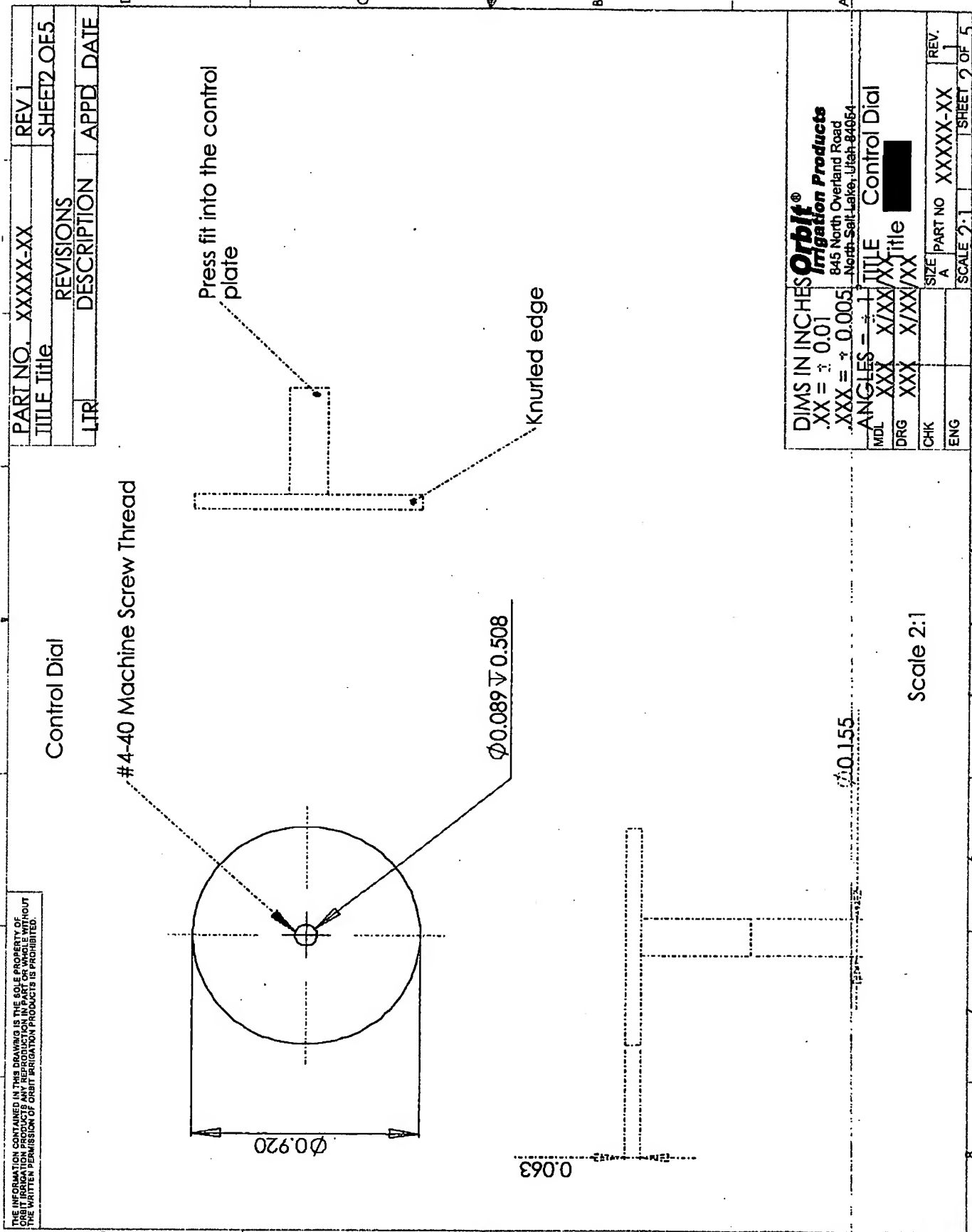
PART NO. XXXX-XX	REV.1
TITLE Title	SHEET OE5
REVISIONS	
LTR	DESCRIPTION APPD DATE



Scale 2:1

DIMS IN INCHES		Orbit®	
XX = + 0.01		Irrigation Products	
XXX = + 0.005		845 North Overland Road	
		North Salt Lake, Utah 84054	
ANGLES = + 1	TITLE	Nautilus Nozzle	
MDL XXX	XXX/XX/XX	Title	
DRG XXX	XXX/XX/XX	Title	
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		REV.	1
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		SHEET 1 OF 5	

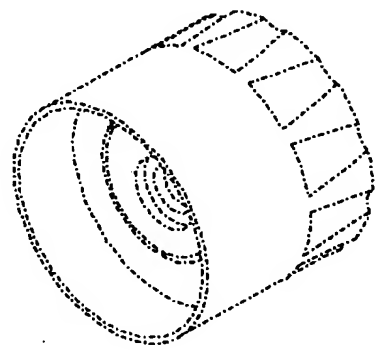
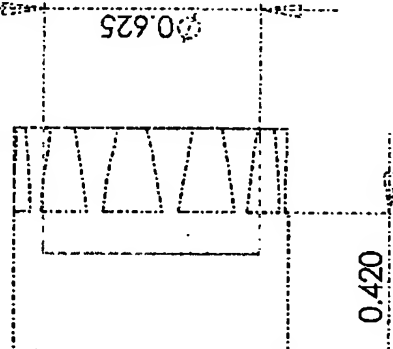
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PART NO. XXXX-XX	REV 1
TITLE Title	SHEET 2 OF 5
REVISIONS	
DESCRIPTION	APPD DATE
LTR	

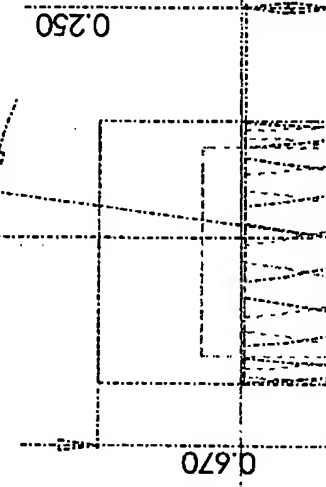
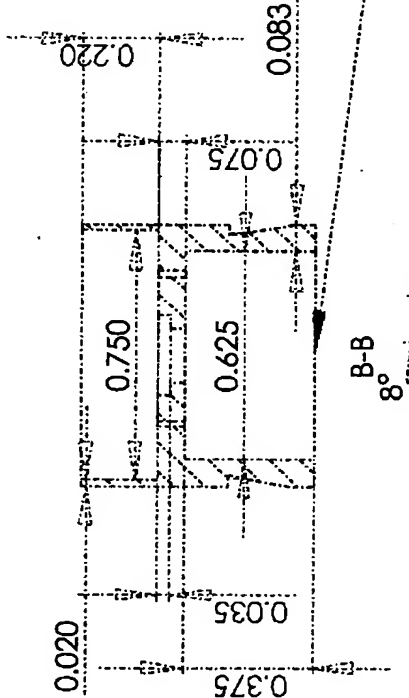
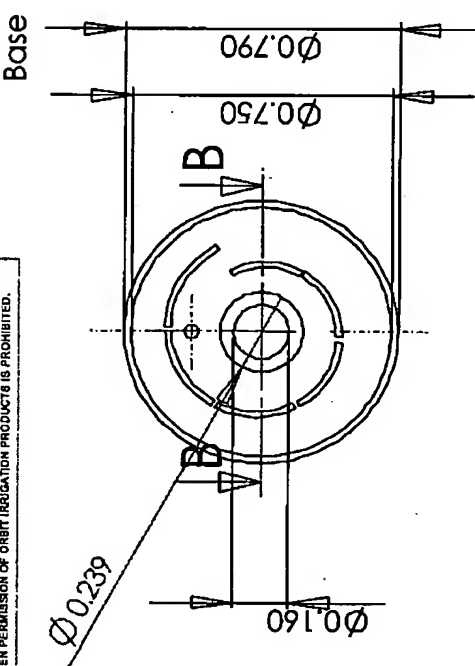
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XXX = 0.005	
Orbit® Irrigation Products	
845 North Overland Road	
North Salt Lake, Utah 84054	
TITLE Control Dial	
MDL XXX XXX XXX	REV. 1
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ENG	
SIZE A	PART NO XXXXX-XX
SCALE 2:1	SHEET 2 OF 5

PART NO. XXXX-XX	REV 1
TITLE Title	
REVISIONS	
LTR	DESCRIPTION APPD DATE



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XXX = 0.005	0.005
Orbit® Irrigation Products 845 North Overland Road North Salt Lake, Utah 84054	
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DRG XXX	XXX/XX
CHK	SIZE PART NO XXXXX-XX REV. 1
ENG	SCALE 2:1 SHEET 3 OF 5

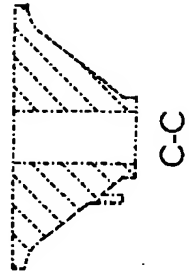
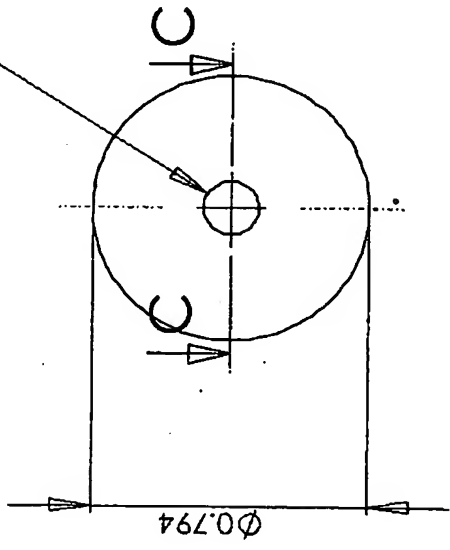
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PART NO. XXXX-XX	REV. 1
TITLE Title	SHEET 4 OF 5
REVISIONS	
DESCRIPTION	APPD DATE

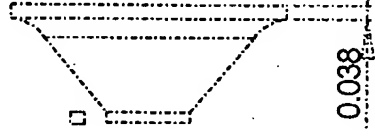
Deflector Plate

$\phi 0.160 \nabla 0.354$

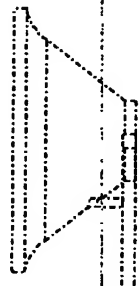


C-C

0.038



0.035



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XXX = 0.005	
ANGLES = 1	
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ENG	
SIZE A	
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SCALE 2:1	SHEET 4 OF 5

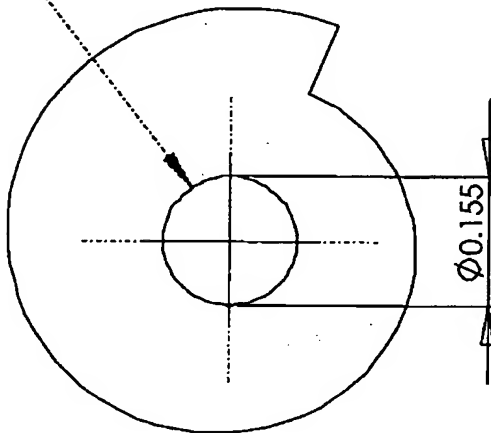
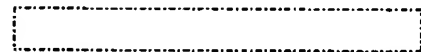
Orbit®
Irrigation Products
845 North Overland Road
North Salt Lake, Utah 84054

TITLE Deflector

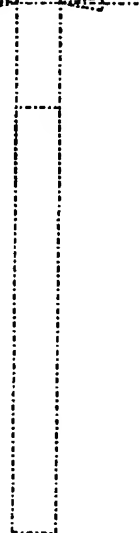
PART NO. XXXX-XX	REV.1
TITLE Title	SHEET5 OF5
REVISIONS	
LTR	DESCRIPTION APPD DATE

Control Plate

Press fit into control dial



0.050



DIMS IN INCHES	
XX = ± 0.01	Orbit® Irrigation Products
XXX = ± 0.005	845 North Overland Road
	North Salt Lake, Utah 84064
ANGLES = ± 1	TITLE Control Plate
MDL XXX XXX/XX/XX	Size A
DRG XXX XXX/XX/XX	PART NO XXXXX-XX
CHK	REV. 1
ENG	SHEET 5 OF 5
SCALE 5:1	